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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/038,644

01/08/2002

John Thomas Dolloff

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9154

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02/28/2006

COOLEY GODWARD LLP

ATTN: PATENT GROUP

11951 FREEDOM DRIVE, SUITE 1700

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RESTON, VA 20190-5061

EXAMINER

DESIRE, GREGORY M

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/038,644	<b>Applicant(s)</b> DOLLOFF, JOHN THOMAS	
	<b>Examiner</b> Gregory M. Desire	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 17-22 and 24-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 12, 13 and 23 is/are rejected.
- 7) ☐ Claim(s) 7-11 and 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of restriction in the reply filed on 11/18/05 is acknowledged. The traversal is on the ground(s) that search relating to the claim of group I will necessarily also encompass at least claims 24-27 and similar context of the claims of Group I and Group II enables the claims to be efficiently examined concurrently. This is not found persuasive because it is the positioned of the examiner that searching different features the claims of each group would be a burdensome search to the examiner.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 17-22 and 24-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected group II, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/18/05.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 12-13 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Dial, Jr. et al (6,735,348).

Regarding method, article manufacture and apparatus claims 1, 12, and 23 Dial, Jr. discloses,

Generating parameters of ground to image transformation function based on a sensor model of the image sensor, the sensor model including support data describing the physical characteristic of the image sensor (note col. 4 lines 27-30, parameters related to physical design of image sensor (frame camera))

Defining adjustable parameters of the ground to image transformation function to reflect errors in the support data (note col. 10 lines 12-30, adjustable parameters are defined).

Generating an adjustment error covariance based on adjustable parameters (note col. 10 lines 35-63, block adjustment model is generated) and containing information approximately equivalent to information contained in a support data error covariance (note col. 10 lines 35-63).

Wherein the data file includes the parameters, adjustable parameters and the adjustment error covariance (note col. 10 line 64- col. 11 line 6).

Regarding method claim 2 Dial, Jr. discloses,

Wherein the ground to image transformation function is a polynomial and its parameters are coefficients of the polynomial (note col. 12 line 60-62).

Regarding method claim 3 Dial, Jr. discloses,

Wherein the ground to image transformation function is a grid of ground point image point correspondences and characteristics of the grid reflect interpolation of the grid.(note col. 12 line 60 – col. 13 line 12).

Regarding method claim 4 Dial, Jr. discloses,

Wherein the ground to image function is a ratio of polynomials and its parameters are coefficients of the polynomials (note col. 11 lines 20-29).

Regarding method claim 5 Dial, Jr. discloses,

Wherein values of adjustable parameters are initially assumed to be zero (note col. 15 lines 29-32).

Regarding method and article of manufacture claims 6 and 13,

Selecting the adjustable parameters from a pre-determined list of possible adjustable parameters (note col. 10 lines 40-50, adjustable parameters from adjustable model).

***Allowable Subject Matter***

5. Claims 7-11 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding method and article of manufacture claims 7 and 14,

Prior art fails to disclose adjustment error covariance that minimize a difference between projection onto image space and projection of the support data. These features in combination with other features are not taught in the prior art. Claims 8-9 depends on claim 7 therefore are also allowable.

Regarding method and article of manufacture claims 10 and 15,

Prior art fail to disclose generating ground point grid, calculating first partial derivative matrix, calculating a second partial derivative matrix as described in the claim. These features in combination with other features are not taught in the prior art. Claims 11 and 16 depend on claims 10 and 15, respectively, therefore are also allowable.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire  
Examiner  
Art Unit 2627



G.D.

February 17, 2006